



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**167 UNION STREET LLC D/B/A THE BANNER
167 UNION STREET
ROCKLAND, MA 02370
LICENSE#: 07801-HT-1034
VIOLATION DATE: 2/21/2025
HEARD: 6/03/2025**

167 Union Street LLC d/b/a The Banner (“Licensee” or “The Banner”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a hearing on Tuesday, June 3, 2025, regarding alleged violation of M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under §§ 12, 14, or 15 and no certificate of fitness issued under § 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under §§ 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under § 22A. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Smiddy’s Report.

The following documents are in evidence:

1. Investigative Report of S. Smiddy;
2. Receipts from § 15 Package Store;
3. ABCC Licensing Authority Certification, Transfer of License Approved 10/12/2023;
4. Licensee’s Stipulation of Facts.

There is one (1) audio recording of this hearing.

FINDINGS OF FACT

1. On Friday, February 21, 2025, at approximately 12:10 p.m., Investigators Teehan and Smiddy (Investigators) inspected the business operation of 167 Union Street LLC d/b/a The Banner (“Licensee” or “The Banner”).
2. Investigators entered the licensed premises and spoke with the manager Alicia Barry. Alicia stated that her father Bill handles the ordering. Alicia further advised Investigators that in a pinch, they have purchased alcoholic beverages from a package store.
3. Investigators then spoke via telephone with William Barry, the LLC manager, who stated he has purchased alcoholic beverages from a package store and agreed to forward receipts for the package store purchases to Investigators.

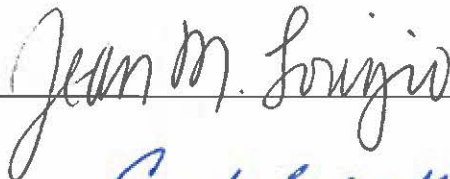
4. On Monday, February 24, 2025, Mr. Barry provided package store receipts to Investigators:
 - a) Receipt dated 11/15/2024 for \$200.78 from Lukes of Rockland;
 - b) Receipt dated 11/17/2024 for \$68.37 from Lukes of Rockland;
 - c) Receipt dated 1/30/2025 for \$29.99 from Lukes of Rockland;
 - d) Receipt dated 2/2/2025 for \$211.92 from Lukes of Rockland.
5. Investigators advised Mr. Barry of the violation and that a report would be filed with the Chief Investigator for further review.
6. The Licensee has held a license under M.G.L. c. 138, § 12 since 2023.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under §§ 12, 14, or 15 and no certificate of fitness issued under § 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under §§ 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under § 22A. As a result, the Commission **suspends the license for a period of two (2) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: March 3, 2026

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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immediatamente.

Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.

这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2025-000033-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Sean Smiddy, Investigator
Michael Teehan, Investigator
Walter B. Sullivan, Esq.
Administration, File